

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

A FORMAL REVIEW OF THE CURRENT STATUS OF TRIMBLE COUNTY NO. 1	)	CASE NO. 9934
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AND

In the Matter of:

AN INVESTIGATION OF ELECTRIC RATES OF LOUISVILLE GAS AND ELECTRIC COMPANY TO IMPLEMENT A 25 PERCENT DISALLOWANCE OF TRIMBLE COUNTY UNIT NO. 1	) ) ) )	CASE NO. 10320
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O R D E R

On November 7, 1988, Save the Valley, Inc. ("STV"), filed a motion to intervene pursuant to 807 KAR 5:001, Section 3(8). STV requests that the letter from its counsel, filed with the Commission on August 23, 1988, be accepted as STV's request for full intervention in these cases. STV further states that it was previously represented by different counsel and had been led to believe by its prior counsel that it was a party to these cases. STV's motion also cites portions of the Commission's August 10, 1988 Order in Case No. 9934 wherein STV is referred to as being a party thereto.

Louisville Gas and Electric Company ("LG&E") filed a response to STV's motion on November 9, 1988. LG&E notes that STV has not previously sought, nor been granted, intervenor status in these cases. LG&E states that it does not oppose STV's intervention

provided that STV accepts the records in these cases as they now stand without reopening any portion thereof, and the intervention does not result in any delay in the Commission's decision on the rehearing issues.

On November 9, 1988, the Consumer Advocacy Groups ("CAG") filed a response in support of STV's motion to intervene. CAG states that its expert witness, David H. Kinloch, had filed testimony which named STV as a member of CAG and Mr. Kinloch was cross-examined on STV's participation.

Based on STV's motion, the responses, and being advised, the Commission hereby finds that STV has not been a party to these cases since no request to intervene, as required by 807 KAR 5:001, Section 3(8), was previously filed. The Commission's prior reference to STV as being a party was erroneous and based on the mistaken belief that STV had been included with certain other persons, collectively known as the CAG, who were parties as a result of their having filed a complaint against LG&E. However, a review of that complaint, Case No. 9855, Paddlewheel Alliance of Louisville and Utility Ratecutters of Kentucky, Inc., v. Louisville Gas and Electric Company, indicates that STV was not named as a complainant.

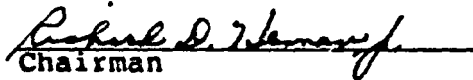
The concerns expressed by LG&E's response have merit and should be adopted to insure that STV's intervention does not result in any delay of the proceedings in these cases. Consequently, the Commission will allow STV to intervene subject to the limitations that it accept the records as they now exist

and that the intervention not result in any delay of the Commission's adjudication in Case No. 9934.

IT IS THEREFORE ORDERED that STV's motion to intervene, in conjunction with its letter dated August 23, 1988, be and it hereby is granted with the limitations as set forth above.

Done at Frankfort, Kentucky, this 21st day of November, 1988.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

Executive Director